

**Notice of Allowability**

Application No.

09/909,564

Examiner

FIRMN BACKER

Applicant(s)

PELLETIER, MICHAEL C.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/14/05.
2. ☒ The allowed claim(s) is/are 1-17.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

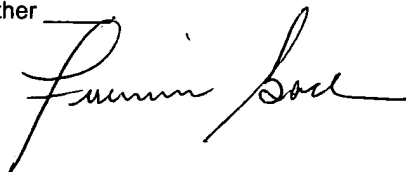
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_



**DETAILED ACTION**

***Allowable Subject Matter***

1. Claims 1-17 are allowed.
2. The following is an examiner's statement of reasons for allowance:
  - a. Applicant discloses a system and computer readable medium at an electronic digital content store, such as a web site, for associating advertisement with digital content. The geographic location of the end user device receiving the encrypted digital content is determined using an address verification system. Advertisement is selected to be associated with the delivery of encrypted digital content if the address verification system returns an address in a predetermined geographic region. The address verification system includes the IP address of the end user device, the country codes found in the trace routes to the IP address, and the billing address. Applicant's system is novel and innovative in the sense that it determine a credit card clearing address of the end user using an address verification system, wherein an end user sends a request via the end user device for the delivery of encrypted digital content and it associates one or more pieces of advertisement with the encrypted digital content if the address verification system returns an address in a predetermined geographic region. Eldering (*US PG Pub No. 2005/0193410*) the closet prior art teaches an apparatus and a method for creating subgroups based on one or more subscriber characteristics. Each subgroup corresponds to one or more subscribers and receives a particular program stream and one or more targeted advertisements directed at that set of subscribers. Eldering fails to teach

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determining a credit card clearing address of the end user using an address verification system, wherein an end user sends a request via the end user device for the delivery of encrypted digital content and associating one or more pieces of advertisement with the encrypted digital content if the address verification system returns an address in a predetermined geographic region.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

b. McGuire et al (*US PG Pub No. 2003/0023489*) teach a method for providing a targeted on-line advertisement to a user accessing a content provider node of the system. The system comprises an ad selection node and a user identification node. A user signal indicative of an information request is routed through the system to determine a geographic location of the user and/or a demographic profile of the geographic location. An advertiser corresponding to the geographic location and/or demographic profile is thereafter communicated to the user.

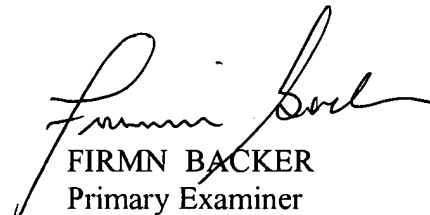
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to FIRMN BACKER whose telephone number is 571-272-6703.

The examiner can normally be reached on Monday - Thursday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



FIRMN BACKER  
Primary Examiner  
Art Unit 3621

September 15, 2005